

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

SEKOU KEITA,

\*

Plaintiff,

v.

Civil Action No. 8:21-cv-00544-PX

\*

GIANT FOOD LLC,

Defendant.

\*

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**MEMORANDUM ORDER**

Presently pending is Plaintiff Sekou Keita's motion to reopen the case, construed as a motion for reconsideration of the Court's Order granting Defendant's motion for summary judgment. ECF No. 44. Pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, reconsideration is available "(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice." *Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998). "Rule 59(e) motions may not be used, however, to raise arguments which could have been raised prior to the issuance of the judgment . . ." *Id.*

Plaintiff has provided no grounds for the Court to reconsider its prior decision. Rather, Plaintiff rehashes the same arguments that he had previously raised in his opposition to the motion for summary judgment. ECF No. 44; *see also* ECF Nos. 36 & 40. The Court already rejected these arguments as unsupported by the record evidence, ECF No. 42, and Plaintiff does not provide any new evidence to the contrary. Plaintiff thus fails to advance any argument that the Court's prior decision amounted to a clear error of law.

Accordingly, it is this 22<sup>nd</sup> day of March 2023, by the United States District Court for the District of Maryland, hereby ORDERED that:

1. Plaintiff's Motion for Reconsideration (ECF No. 44) IS DENIED;
2. The Clerk shall TRANSMIT a copy of this Memorandum Order to the parties;  
and
3. CLOSE this case.

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3/22/2023

Date

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/S/

Paula Xinis  
United States District Judge